

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DORIE LEWANDOWSKI,

Plaintiff,

v.

KILOLO KIJAKAZI, acting
Commissioner of Social Security,

Defendant.

CASE NUMBER: 1:21-cv-00024-GSA

**ORDER GRANTING EXTENSION OF
TIME FOR PLAINTIFF TO FILE
OPENING BRIEF**

The parties stipulate to a 60-day extension of time from December 31, 2021 to March 1, 2022 for Plaintiff to file an opening brief due to counsel's pre-planned holiday travel and increased workload given the increased number of Certified Administrative Records filed in previously stayed cases. This is Plaintiff's second extension and first request for an extension for cause.

The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. Doc. 5 at 3. Beyond the single extension by stipulation, "requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause." *Id.*

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at *2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

Counsel identified good cause for the extension and sought it well in advance of the

1 December 31 deadline. Although an additional 60-day extension on top of the 30-days granted by
2 the scheduling order is substantial, the Court notes that the administrative record in this case
3 exceeds 2,000 pages. The extension is therefore warranted.

4 Accordingly, it is **ORDERED** that Plaintiff's deadline to file an opening brief is extended
5 to and including March 1, 2022. All other deadlines are adjusted accordingly.

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7
8 IT IS SO ORDERED.

9 Dated: **December 13, 2021**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE